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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DAN THOMASSIAN,

Plaintiff,

vs.

BRIAN GROVES, FOX RENT A CAR,
INC., a California Corporation, DOES I-X,
and ROES I-X, Inclusive,

Defendants.

CASE NO.: 2:17-CV-2301-APG-PAL

**STIPULATION AND ORDER TO
EXTEND DISCOVERY**

(First Request)

IT IS HEREBY STIPULATED and agreed by and between Plaintiff Dan Thomassian and Defendant Brian Groves that, pursuant to LR26-4, the discovery deadlines in this matter shall be extended as follows:

A. DISCOVERY COMPLETED

The parties have conferred and exchanged discovery documents and witness lists pursuant to FRCP 26 and have supplemented the same. The parties have propounded and responded to written discovery. The parties resolved between themselves a good-faith discovery dispute regarding Defendant's requests for a list of Plaintiff's medical providers and authorizations for a release of those providers' medical records. Plaintiff has provided this information, and Defendant is in the process of obtaining complete records from these providers.

1 **B. REMAINING DISCOVERY**

2 Defendant has not yet been able to obtain complete medical records from Plaintiff's
3 medical providers, which will be necessary to have a meaningful IME and expert review
4 performed. Once complete records are obtained, the parties anticipate that the remainder of
5 discovery will be completed expeditiously, as only the parties' depositions and expert
6 depositions are likely to be necessary. The parties anticipate that this will be the only extension
7 necessary to fully complete discovery.

8 **C. REASON FOR NOT COMPLETING DISCOVERY**

9 Discovery in this matter has been complex. Plaintiff's Computation of Damages amounts
10 to \$100,000.00, and the parties dispute the extent to which Plaintiff's prior medical history may
11 have caused or contributed to the injuries claimed to be at issue in this lawsuit. This presents a
12 complex question of medical causation which must be resolved through expert testimony.
13 Expert review has been delayed due to a good faith dispute between the parties regarding records
14 releases and disclosure of providers, but the parties have resolved this dispute between
15 themselves. In addition, while Plaintiff is a resident of Nevada, Defendant Groves is a resident
16 of Virginia and Fox Rent-A-Car is headquartered in California, which has complicated discovery
17 and obtaining medical records. Fox Rent-A-Car has been voluntarily dismissed from the action,
18 which narrows the scope of remaining discovery and will simplify matters going forward.

19 Defendant has acted diligently to request records since receiving a list of Plaintiff's
20 providers, and hoped to be able to obtain complete medical records for Plaintiff prior to the
21 expert disclosure deadline, so as to not trouble the Court with a request for an extension and to
22 resolve the matter within the time originally contemplated. It has unfortunately become apparent
23 that this will not be possible. In the interest of adjudicating this matter expeditiously, the parties
24 request only a three month extension of the deadlines below.

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D. PROPOSED NEW SCHEDULE

	<u>Present Deadlines</u>	<u>New Deadlines</u>
Last day to amend pleadings/add parties:	3/1/2018	6/1/2018
Initial Expert Disclosures:	3/1/2018	6/1/2018
Rebuttal Expert Disclosures:	4/2/2018	7/2/2018
Interim Status Report:	3/31/2018	7/2/2018
Close of Discovery:	5/31/2018	9/1/2018
Last Day to File Dispositive Motions:	7/2/2018	10/2/2018
Joint Pretrial Order:	8/2/2018	11/1/2018

IT IS SO STIPULATED.

DATED this 26th day of February, 2018.

GIBSON LAW GROUP

/s/: Thomas J. Gibson

THOMAS J. GIBSON, ESQ.
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DATED this 26th day of February, 2018.

HALL PRANGLE & SCHOONVELD, LLC

/s/: Ryan T. O'Malley

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IT IS SO ORDERED.

DATED February 27, 2018


 UNITED STATES MAGISTRATE JUDGE